

GEORGIA BOARD OF FUNERAL SERVICE

Board Meeting Minutes – April 10, 2018

Professional Licensing Boards Division of the Secretary of State
237 Coliseum Drive, Macon, Georgia 31217

Members Present:

- Tom Lord, Chair
- W.T. Edmondson, Vice Chair
- Joe Westbury
- William Bowen
- Michael Fowler
- Bryant Hightower

Others Present:

- La Trena Tyler-Jones, Executive Director
- Carla Murray, Licensing Analyst
- Sandy Barboza, Board Support Specialist
- Melanie Foster, Board Support Specialist
- Reagan Dean, Assistant Attorney General

Members Absent:

- Nancy Kennedy

Note: Visitors are excused during Executive Session unless scheduled for a personal appearance.

Tom Lord, Chair, noted that a quorum was present, called the meeting to order at 10:00 a.m., and declared the meeting to be “open” pursuant to the Open and Public Meeting Act, O.C.G.A. §§50-14-1 et seq.

OPEN SESSION

Agenda

W. T. Edmondson moved, Joe Westbury seconded, and the Board voted to approve the April 10, 2018 agenda.

Minutes

Michael Fowler moved, Bryant Hightower seconded, and the Board voted to approve the March 13, 2018 Open Meeting minutes and Executive Session minutes.

Ratification List

Licenses Issued 3-9-2018 through 4-5-2018 (Total – 50): Michael Fowler moved, Joe Westbury seconded, and the Board voted to ratify the licenses issued between meetings by application and reinstatement in accordance with Board Rules and Policies.

License #	Licensee
EMB005169	Lydia Jane Gearhart
EMB005170	Dionne Shallette Green
EMB005171	Giancarlo NMN Otalora
EMB005172	Nayya Malachi McKoy-El
EMB005173	William Rayfield Beeks
EMB005174	Sheila Wilmore Butler
EMB005175	Derrick Bernard Lockett
EMB005176	Vashti Lenique Ayers
EMB005177	Paige Fowler Ogle
EMB005178	Lisa M. Melton
FD005568	Lydia Jane Gearhart
FD005569	Dionne Shallette Green
FD005570	Giancarlo NMN Otalora
FD005571	Nayya Malachi McKoy-El
FD005572	LaMonde R Nixon

License #	Licensee
FD005573	Daniel LeWillis Tinson
FD005574	Sheila Wilmore Butler
FD005575	Derrick Bernard Lockett
FD005576	William Rayfield Beeks
FD005577	Vashti Lenique Ayers
FD005578	Paige Fowler Ogle
FD005579	Lisa M. Melton
FEST002002	SouthCare Cremation & Funeral Society
FEST002003	Vincent R Drummer Funeral Home, Inc.
FSA006256	Jeffery Bernard Daniels
FSA006257	Jennifer Narie Manzo
FSA006258	Melvia Gradicia Brown
FSA006259	Kenneth Bernard Span

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License #	Licensee
FSA006260	Persean Toure Taylor
FSA006261	Jonatan Williams
FSA006262	Jordan Ray Shook
FSA006263	James Vincent Lockett
FSA006264	Johnny Lee Dowell
FSA006265	Emanuel Lewis Haire
FSA006266	Raye Robinson
FSA006267	Jeremy Antwaan West
FSA006268	Dearria Andrea Warbington
FSA006269	Emerald T'lia Shelton
FSA006270	Timothy Lamar Whitting

License #	Licensee
FSA006271	Harry Lee Ingram
FSA006272	Jimmie Wiley
FSA006273	Joseph Scott Tidwell
FSA006274	Gerald Preston Alphin
FSA006275	Garrett Nelson Henderson
FSA006276	Ayla Michele Watts
FSA006277	Matthew Arnold Strickland
FSA006278	Roy A Cuthbert
FSA006279	William Ronnie Waters
FSA006280	Myles James Hicks
FSA006281	Jeremy Adam McElhaney

EXECUTIVE SESSION

Michael Fowler moved, William Bowen seconded, and the motion carried to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-19(h) and 43-18, on Tuesday, April 10, 2018 at 10:03 a.m. at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217, for the purpose of conducting applicant appointments, discussing and reviewing applications and complaints and to hear the Attorney General's report.

Recessed for Lunch 12:35 P.M. – Executive Session Resumed 1:05 P.M.

The Executive Session of the Georgia State Board of Funeral Service was closed by Tom Lord, Chair, at 1:47 p.m., who then declared the meeting back in public session. No votes were taken in Executive session.

OPEN SESSION

Joe Westbury moved, W.T. Edmondson seconded, and the motion was carried by the Board to ratify the following recommendations made during Executive Session:

Appointments:

Appearance # 2721522 – Lewis Sims and Son Funeral Home - change of FDFCC to Charles Menendez – approved.

Appearance # 2722371 – Neptune Management Corp. – change of FDFCC to Joseph Ricks – approved upon receipt of Mark Musselwhite's resignation letter.

Appearance # 2722564 – Haisten Funerals and Cremations – change of FDFCC to Shaun Lake – approved upon receipt of Betty Purcell's resignation letter.

Appearance # 2723167 – Sunset Funeral Home - change of FDFCC to Atoia Fluker – approved upon receipt of Ralph Johnson's resignation letter.

Appearance # 2723848 – Vining Hill Ivy Chapel – change of FDFCC to Robert Delisle – approved.

Appearance # 2725503 – W.F.H. - change of FDFCC – tabled - Pending FDFCC license renewal and payment of facility fine.

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Appearance # 2726078 – Hillside Chapel Funeral Home and Cremation Service – change of FDFCC to Cindy Butler – approved upon receipt of James R. Watkins' resignation letter.

Appearance # 2726771 – Peoples Community Funeral Home – change of FDFCC to Rodney K. Godfrey – approved.

Appearance # 2730077 – C.M. – unscheduled appearance – change of FDFCC – tabled - pending submission and review of facility reinstatement application.

Applications

Application # 2721826 / 2721821 - Anthony L. Eberhardt - reinstatement of Funeral Director/Embalmer license - approved.

Application # 2724137 – Norman Medford-Peden Funeral Home – change of FDFCC to Paul Marks for crematory – approved.

Application # 2725986 – Freeman Funeral Home – change of FDFCC to James Freeman, Jr. - approved.

Application # 2724442 / # 2724441 – B.D.R. – reinstatement of Funeral Director/Embalmer application – tabled – Pending Board interview with FDFCC.

Application # 2723597 / #2723603 – Live Oak Crematory and Jefferson Mortuary Service LLC – change of location for funeral home and crematory - approved.

Complaints

FUN170090 – Closed – No violations found under which the Board has jurisdiction.

FUN180018 – Tabled – Pending Board interview.

FUN180078 – Tabled – Pending Cognizant interview.

FUN180079 – Tabled – Refer to Inspections for additional information regarding signage.

FUN180080 – Closed – Send Letter of Concern.

FUN180081 – Closed FUN 180081 – Rescind H.M.F.H.C.

FUN180084 – Tabled – Refer to Attorney General.

FUN180085 – Tabled – Pending Cognizant interview.

Attorney General's Report

L.C.L. - Revocation - The Board reviewed and accepted the Attorney General's recommendation.

Discussed renewals.

OPEN SESSION

The Chair declared the meeting back in Open Session at 1:47 p.m.

Joe Westbury moved, W.T. Edmondson seconded, and the motion was carried by the Board to ratify the recommendations for appointments, applications, complaints and from the Attorney General's Report that were made during the Executive Session.

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Continuing Education

Joe Westbury moved, W.T. Edmondson seconded, and the motion carried by the Board to accept the Continuing Education Committee's recommendations to approve the following continuing education courses as presented:

Provider	Course	Points
Funeral CE	Bloodborne Pathogens	3.0
Funeral CE	Communicating Effectively with Seniors	2.0
Funeral CE	Conflict Resolution for Funeral Directors	3.0
Funeral CE	Cremation Best Practices	4.0
Funeral CE	Final Expense Insurance	3.0
Funeral CE	Funeral Customs with Military Honors	3.0
Funeral CE	High Risk Direct Disposal: Lessons Learned from Ebola Outbreak	2.0
Funeral CE	Insuring Funeral Homes	6.0
Funeral CE	Intercultural Burials	5.0
Funeral CE	Managing Grief: A Guide for the Funeral Professional	5.0
Funeral CE	OSHA Practice Standards for Funeral Professionals	4.0
Funeral CE	OSHA Workplace Rights	2.0
Funeral CE	Pre-Need Planning	4.0
Funeral CE	Public Speaking for Funeral Directors	5.0
Funeral CE	Understanding Social Security: Case Studies for Funeral Directors	4.0
Funeral CE	When Disaster Strikes: Mass Fatalities and Community Impact	2.0
Funeral CE	Working Ethically with Seniors	2.0
Matthews Aurora Funeral Solutions	Meeting the Needs of Cremation Families	2.0
Matthews Aurora Funeral Solutions	Decoding the Generations	1.0
National Funeral Directors Association (NFDA)	2018 NFDA Embalming and Restorative Arts Seminar	9.75
National Funeral Directors Association (NFDA)	Why Your Families Should Witness the Cremation	1.0
National Funeral Directors Association (NFDA)	Do-It-Yourself Memorials (with a Little Help from the Funeral Director)	2.0
National Funeral Directors Association (NFDA)	Embalming Risk Management	2.0
National Funeral Directors Association (NFDA)	RSVP: I'll See You at My Living Funeral	2.0
National Funeral Directors Association (NFDA)	Supporting Pregnancy Loss Families	3.0
National Funeral Directors Association (NFDA)	Ten Tools for Stress Relief	3.0
National Funeral Directors Association (NFDA)	After a Suicide – Helping the Bereaved (previously Serving Suicide Loss Survivors)	1.0

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Provider	Course	Points
A Dodge Institute for Advanced Mortuary Studies Program	Embalming the Ever-Increasing Number of Obese Bodies	1.0
A Dodge Institute for Advanced Mortuary Studies Program	Dehydration and Emaciation	1.0
A Dodge Institute for Advanced Mortuary Studies Program	The Opioid Epidemic and Funeral Service	1.0
A Dodge Institute for Advanced Mortuary Studies Program	Almost Everything You Ever Wanted to Know About Mortuary Cosmetic Application	2.0
A Dodge Institute for Advanced Mortuary Studies Program	Color Theory and Discolorations	1.0
A Dodge Institute for Advanced Mortuary Studies Program	Turning Challenges Into Opportunities	1.0
A Dodge Institute for Advanced Mortuary Studies Program	An A-Z Look at Organ Procurement & Donation	1.0
A Dodge Institute for Advanced Mortuary Studies Program	Trouble Shooting - Problems & Treatments	1.0
The Dodge Institute of Advanced Mortuary Studies	2018 Dodge Technical Series - Las Vegas, NV	9.0
Matthews International	10 Arrangement Steps Essential for Families Selecting Cremation	1.0
Matthews International	Moving From Grieving to Remembering	1.0
Matthews International	The Beauty, Characteristics and Value of American Woods Used in the Art of Casket Construction	1.0
Matthews International	Funeral Home Professional Communication Skills	1.0
Matthews International	Millenials - The Dawn of the Digital Networking Age	1.0
Matthews International	Understanding the Casket Distribution Process From A-Z	2.0
Matthews International	The Beauty, Characteristics and Value of Enduring Metals Used in the Art of Casket Assembly	1.0
Cremation Association of North America (CANA)	Phone Shoppers: Your Best First Impression	1.0
Cremation Association of North America (CANA)	Legal Topics	1.5
Cremation Association of North America (CANA)	Cremation & Environmental Online Course	2.0
Cremation Association of North America (CANA)	Cremation Arrangement Conference Best Practices	2.0

Other Business**Docketed Orders:**

Bryant Hightower moved, W.T. Edmondson seconded, and the Board voted to accept the docketed orders as presented:

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Type	Licensee	License #	Docket #	City
OAFM	Warren Brothers Mortuary	FEST001141	2018-0426	Sparta
OAFM	Taylor Family Funeral Service	FEST001248	2018-0425	Tifton
OAFM	Tharpe Funeral Home Inc.	FEST000351	2018-0424	Hawkinsville
Reinstatement	Royal Funeral Home	FEST000420	2018-0434	Jesup
OAFM	Carter Funeral Home Bryan Chapel	FEST001508	2018-0491	Richmond Hill

Type	Licensee	License #	Docket #	City
Public Consent Order	Community Mortuary	FEST001841	2018-0360	Tifton
Public Consent Order	Charles DeWayne Rox	FD005098	2018-0360	Tifton
Public Consent Order	Charles DeWayne Rox	EMB004687	2018-0360	Tifton
Public Consent Order	Patricia Lester	FD004656	2018-0435	Jesup

90 day Grace Period Requests – Bryant Hightower moved, Joe Westbury seconded, and the Board voted to approve the following 1st 90-day grace period requests:

Name	License #	City	Expiration
Ferguson Brother's Funeral Home	FEST001656	Rochelle	06/11/2018
Vincent R. Drummer Funeral Home	FEST001995	Vidalia	06/07/2018

2nd 90 day Grace Period Request – Bryant Hightower moved, Joe Westbury seconded, and the Board voted to approve the following 1st 90-day grace period requests:

Name	License #	City	Expiration
Alvie Coes Funeral Home	FEST001070	Unadilla	06/29/2018
Hill's Mortuary, Inc.	FEST001619	Statesboro	06/14/2018

Lift Probation Requests – Joe Westbury moved, W.T. Edmondson seconded, and the Board voted to lift probation from the following licensee:

Name	License #
Randall J. Watkins	FD004114

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Proposed Rule Amendments:

Authority was not received to amend Rule 250-5-.09.

Received authority to post 22 rule amendments:

Rule 250-4-.02	Rule 250-5-.02	Rule 250-5-.08	Rule 250-6-.05
Rule 250-4-.03	Rule 250-5-.03	Rule 250-5-.10	Rule 250-6-.06
Rule 250-4-.04	Rule 250-5-.04	Rule 250-5-.11	Rule 250-6-.07
Rule 250-4-.05	Rule 250-5-.05	Rule 250-5-.12	Rule 250-6-.08
Rule 250-4-.06	Rule 250-5-.06	Rule 250-6-.01	
Rule 250-5-.01	Rule 250-5-.07	Rule 250-6-.02	

Rule 250-4-.02. Apprentice Registration. Amended

(1) An apprentice must be currently registered with the Board in order to receive credit for time served as an apprentice. An applicant for registration as a funeral service apprentice must:

- (a) ~~Be~~ be at least 18 years of age;
- (b) ~~At~~ at a minimum, ~~be~~ is a high school graduate or holder of a General Education Development (GED) certification of high school equivalency;
- (c) ~~An applicant must~~ file an application on a form available from the Board; this application must be verified by oath and be accompanied by the registration fee. This application shall ask questions regarding the applicant's conviction of a felony or misdemeanor and violations or sentences under the First Offender Act.
- (d) ~~An applicant must~~ designate the specific funeral director and/or embalmer under whom ~~he/she the applicant~~ will be apprenticing. ~~Such~~ The supervisor must be approved by the Board as specified in Rule 250-4-.05;
- (e) ~~An applicant must~~ designate the specific establishment in the State of Georgia at which ~~he/she the~~ applicant will be apprenticing. ~~Such~~ The establishment must be approved by the Board as specified in Rule 250-4-.05 and must have conducted an average of at least thirty (30) funerals per year over the preceding five (5) years; and
- (f) ~~An~~ submit an application for registration ~~shall be viewed only after it is complete. An application must be completed~~ at least fifteen (15) business days prior to a Board meeting, and the Board's acceptance or rejection of each application shall be by majority vote of the entire Board. An application for registration shall be viewed by the Board only after it is complete.

Authority: O.C.G.A. §§ 43-1-19; 43-1-25; 43-18-23; 43-18-50; 43-18-51; and 43-18-54

RULE 250-4-.03 SERVING OF APPRENTICESHIP

(1) Hours and Duration. An apprenticeship period consists of 3,120 hours served in a time period of no less than eighteen (18) months and no more than two (2) renewal cycles as defined in O.C.G.A. § 43-18-50(c).

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- (a) This period shall be measured from the date the application is approved by the Board.
- (b) The (18) eighteen-month minimum is in addition to the time required to graduate from a college of funeral service accredited by the American Board of Funeral Service Education or ~~such~~ other college specifically approved by the Board.
- (c) An apprentice shall be allowed to serve a maximum of four (4) hours per day for credit towards completion of the apprenticeship period while enrolled in ~~such~~ college.
- (2) Business Hours. ~~Regular business hours, for~~ For purposes of apprenticeship, ~~means regular business hours are~~ the hours between 8:00 A.M. and 10:00 P.M.
- (3) Sleeping. An apprentice ~~may shall~~ not count hours spent sleeping in a funeral establishment toward ~~his/her the~~ hours of requirement, even if ~~such the~~ time spent sleeping occurs during the regular business hours as defined in Rule 250-4-.03(2).
- (4) Reports. Every six (6) months, each apprentice shall furnish to the Board the details of the hours spent in employment as an apprentice on forms ~~supplied approved~~ by the Board. After completing the 3,120 hours for apprenticeship within the specified period, the apprentice shall send the last report to the Board regardless of the date. The information contained in the report shall be certified as correct by the funeral director in full and continuous charge and by the supervising funeral director and embalmer. The report will specify the number of bodies which the apprentice has assisted with embalming and the number of funerals in which the apprentice has assisted. This report shall be ~~kept~~ current and ~~made~~ available for inspection ~~upon request~~.

Authority: O.C.G.A. § 43-1-19; 43-1-25; 43-18-23; 43-18-50; 43-18-51; and 43-18-54

Rule 250-4-.04 Apprentice Fees and Renewal

- (1) ~~Fees.~~ Each apprenticeship registration expires on March 31 of even-numbered years. ~~Refer to the Fee Schedule for the appropriate fee for registration application.~~
- (2) Renewal. An apprenticeship registration may be renewed for a two-year period and requires submission of an application and fee (~~see fee schedule~~), due and payable by March 31 of even-numbered years. An apprenticeship registration shall not be renewed more than two (2) times.
- (3) Late Renewal with Penalty. An expired ~~apprentice~~ registration may be renewed between April 1 and ~~September April~~ 30 of the renewal year, ~~inclusive, provided that the applicant for renewal submits with submission of a renewal form and~~ a penalty fee in addition to the regular renewal fee. The applicant for renewal may not practice as an apprentice during the late renewal period, nor will any hours be credited during the late renewal period.
- (4) Revocation. A registration that is not renewed prior to ~~April May 1~~ of the renewal year shall result in revocation of the registration. ~~Any hours~~ Hours served after revocation and prior to reinstatement may not be counted toward the ~~3120 3,120~~ hour requirement for an apprenticeship.
- (5) Reinstatement. An apprentice whose registration has been revoked ~~for failure to renew a registration, may~~ within one (1) year of ~~the registration expiration date of the penalty period, submit an may apply for reregistration with submission of an~~ application, ~~renewal fee, and penalty fee and fee for~~

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reinstatement. The Board reserves the right to refuse to reinstate a registration and shall not reinstate a registration more than twice.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-50; and 43-18-54

RULE 250-4-.05 Board-approved Supervisor

- (1) An apprenticeship must be served under one (1) or more Board-approved supervisors. A board-approved supervisor shall be either:
 - (a) an individual who is currently licensed by the State of Georgia as a funeral director and embalmer; or
 - (b) two (2) individuals, one (1) of whom is currently licensed by the State of Georgia as a funeral director and the other of whom is currently licensed by the State of Georgia as an embalmer.
- (2) An embalmer and/or funeral director ~~who seeks~~ seeking Board approval to serve as a supervisor:
 - (a) must be employed, either full time or as a trade embalmer, at an establishment approved by the Board as an apprentice site. In addition to any other requirements, a trade embalmer seeking approval as a supervisor:
 1. must embalm at the establishment where the apprentice is registered;
 2. can only supervise four (4) apprentices in total; and
 3. must appear before the Board for approval.
 - (b) must have been employed as a licensee for at least three (3) years;
 - (c) must provide direct supervision which shall mean ~~a licensed supervisor present in the same room as apprentice during arrangements, embalming a body or conducting funeral services; that the embalmer, funeral director, or both, are present on the premises overseeing the activities of the apprentice.~~
 - (d) is responsible for ensuring that the apprentice complies with the Rules and Regulations of the Board while under ~~his/her~~ supervision; and
 - (e) may not provide concurrent supervision to more than four (4) apprentices without Board approval.
- (3) The Board may withdraw approval of a supervisor based upon evidence of the inability to supervise an apprentice properly or upon other relevant considerations.
- (4) A licensee who becomes unable to continue to supervise must notify the Board ~~of same no later than~~ within five (5) days ~~after his/her~~ of the last date of service as a provider of supervision.
- (5) An apprentice may receive credit for hours served only if ~~his/her~~ the supervisor has current Board approval. An apprentice serving under a licensee whose approval to supervise has been withdrawn or who ~~becomes~~ is unable to continue to supervise may apply to the Board to ~~serve apprentice~~ under a different ~~Board-approved licensee who is a Board-approved~~ supervisor without paying an additional fee for Change of Supervisor.

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Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; and 43-18-50 to 43-18-54

Rule 250-4-.06. Board-approved Apprenticeship Establishment

- (1) An apprenticeship must be served at a Board-approved establishment. An establishment, to become a Board-approved establishment, must:
 - (a) have a valid Georgia funeral establishment license;
 - (b) have no unresolved inspection violations; and
 - (c) certify that ~~it has embalmed~~ an average of at least thirty (30) bodies per year have been embalmed at the establishment over the preceding five (5) years. Funeral establishments which have been in business for less than five (5) years or have averaged less than thirty (30) embalmed bodies per year must have embalmed at least one hundred fifty (150) bodies.
- (2) An establishment may qualify for one (1) apprentice for each thirty (30) bodies it embalms each year. An establishment which embalms less than thirty (30) bodies per year may only have one (1) apprentice.
- (3) The Board may withdraw approval of an establishment if it deems the establishment to be inappropriate for apprenticeship training. An apprentice serving at an establishment whose approval is withdrawn shall receive notification thereof at least sixty (60) days prior to the effective date of withdrawal and may not receive credit for any hours served at the establishment after said sixty (60) days. ~~Such~~ The apprentice may apply to the Board to serve at a Board-approved establishment without paying an additional fee for change of location.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; and 43-18-50 to 43-18-54

Rule 250-5-.01 General Requirements: Embalmer

- (1) An applicant for licensure as an embalmer must satisfy the following requirements:
 - (a) be at least 18 years of age at the time of application;
 - (b) be of good moral character; and
 - (c) at minimum, have graduated from a high school or have earned a general education development certificate.
- (2) An applicant for licensure as an embalmer shall make ~~written~~ application to the Board on forms provided approved by the Board, shall submit the appropriate fee, and shall provide ~~proof of~~ the following:
 - (a) proof of graduation from a college of funeral service accredited by the American Board of Funeral Service Education or ~~such~~ other college specifically approved by the Board.
 - (b) proof of 3,120 hours of service as an apprentice as specified in Rule 250-4-.02 and in O.C.G.A. Section 43-18-50; and
 - (c) an affidavit which states that the apprentice assisted in embalming at least fifty (50) bodies and which specifies the names and dates of death.

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- (3) An application for licensure as an embalmer shall be reviewed by the Board only after it is complete. This application shall ask questions regarding the applicant's conviction of a felony or misdemeanor and violations or sentences under the First Offender Act. ~~An A completed~~ application must be ~~submitted complete~~ at least fifteen (15) days prior to a Board meeting, and the Board shall accept or reject each application by majority vote.

Authority: O.C.G.A. §. 43-1-19; 43-1-25; 43-18-23; 43-18-40; and 43-18-50

Rule 250-5-.02. Licensure by Examination: Embalmer

- (1) An applicant for licensure as an embalmer must attain a passing score, as determined by the Board, on the Funeral Service Science Examination of the National Conference of Funeral Service Examining Boards. Any examination fee which may be required shall be paid directly to the Conference. An individual may take the Funeral Service Science and Funeral Service Arts Examinations of the National Conference on the same date.
- (2) Veterans who qualify for Veterans Preference Points may have additional points added to their score. Information on points may be obtained from the Board office.
- (3) An applicant for licensure as an embalmer must direct the National Conference to provide the Board with certification ~~that he/she passed~~ that the applicant passed the Funeral Service Science Examination.

Authority: O.C.G.A. § 43-1-25; 43-18-23; 43-18-40; and 43-18-46

Rule 250-5-.03. Licensure by Reciprocity or Endorsement: Embalmer

The Board may consider licensure by reciprocity without the requirement of taking the National Examination and upon payment of the appropriate fee, to any person licensed as an embalmer by another State, territory, or country, or by the District of Columbia.

- (1) An applicant for licensure as an embalmer by reciprocity must successfully pass ~~a an written~~ examination approved by the Board which tests knowledge of the ~~law laws~~ of this state relating to funeral directors and ~~must either:~~
- (a) ~~must~~ satisfy the requirements listed in Rule 250-5-.01 above; or
- (b) ~~must~~ hold a valid embalmer's license in a jurisdiction whose requirements for licensure as an embalmer are substantially equal to the requirements for licensure as an embalmer in Georgia; and
- (c) an embalmer licensed by endorsement cannot be issued a license on the basis of another reciprocal or endorsement license.
- (d) ~~or, an~~ An applicant who cannot meet the requirements of (a) or (b) in this rule may be issued a license as an embalmer by endorsement upon submission of documentation from an employer attesting that the applicant has been engaged in the active practice of funeral service as a licensed embalmer and funeral director for a minimum of three (3) years immediately preceding the submission of an application for licensure in Georgia, in accordance with the provisions of O.C.G.A. § 43-18-42(a)(2). For the purposes of this rule, "immediately preceding" shall mean that the applicant must submit the appropriate application to the Board office within six (6) months of leaving the state in which he or she has been actively engaged in the active practice of funeral service.

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Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-23; 43-18-40; 43-18-42; and 43-18-46

Rule 250-5-.04. General Requirements: Funeral Director

- (1) An applicant for licensure as a funeral director must satisfy the following requirements:
 - (a) be at least 18 years of age at the time of application;
 - (b) be of good moral character; and
 - (c) at minimum, have graduated from a high school or have earned a general education development certificate.
- (2) An applicant for licensure as a funeral director shall make ~~written~~ application to the Board on forms ~~provided~~ approved by the Board, shall submit the appropriate fee, and shall provide the following:
 - (a) proof of valid licensure as an embalmer in the State of Georgia; and
 - (b) an affidavit ~~which states stating~~ that ~~the as an~~ apprentice, the applicant assisted with at least fifty (50) funerals; ~~the affidavit shall also and which~~ specify the names of the deceased and dates of death.
- (3) An application for licensure as a funeral director shall be reviewed by the Board only after it is complete. This application shall ask questions regarding the applicant's conviction for a felony or misdemeanor and violations or sentences under the First Offender Act. ~~An~~ A completed application must be completed submitted at least fifteen (15) days prior to a Board meeting, and the Board shall accept or reject each application by majority vote.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-23; 43-18-41; 43-18-46

Rule 250-5-.05. Licensure by Examination: Funeral Director

- (1) An applicant for licensure as a funeral director must attain a passing score, as determined by the Board, on both the Funeral Service Science and Funeral Service Arts Examinations of the National Conference of Funeral Service Examining Boards. Any examination fee which may be required shall be paid directly to the Conference. An individual may take the Funeral Service Science and Funeral Service Arts Examination of the National Conference on the same date.
- (2) An applicant for licensure must direct ~~the~~ The Conference to provide the Board with certification that ~~he/she~~ the applicant passed both examinations.
- (3) An applicant for a funeral director license on or after January 1, 1991, must also pass the Board-approved Jurisprudence Examination which covers state laws regarding funeral directing. ~~The application for the examination must be submitted to the Board at least forty-five (45) days before a scheduled examination.~~

Authority: O.C.G.A. § Secs. 43-1-25; 43-18-23; 43-18-41; and 43-18-46

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Rule 250-5-.06. Licensure by Endorsement: Funeral Director

- (1) The Board may, upon payment of the appropriate fee ~~and~~, ~~issue~~ without the requirement of taking the national examination, ~~issue~~ a funeral director license to any person licensed as a funeral director by another State territory, or country, or by the District of Columbia. An applicant for licensure as a funeral director by endorsement must pass the Board-approved Jurisprudence Examination on Georgia law regarding funeral directing on or after January 1, 1991, and either:
- (a) satisfy the requirements listed in Rule 250-5-.04 above, or
 - (b) hold a valid funeral director's license in a jurisdiction whose requirements for licensure as a funeral director are substantially equal to the requirements for licensure as a funeral director in Georgia.
- (e) (2) ~~no endorsement~~ No embalmer or funeral director license ~~issued by endorsement~~ may be issued on the basis of another reciprocal or endorsement license.
- (e) (3) An applicant who cannot meet the requirements of (1)(a) or (1)(b) in this rule may be issued a license as a funeral director by endorsement upon submission of documentation from an employer attesting that the applicant has been engaged in the active practice of funeral service as a licensed embalmer and funeral director for a minimum of three (3) years immediately preceding the submission of an application for licensure in Georgia, in accordance with the provisions of O.C.G.A. § 43-18-42(a)(2). For the purposes of this rule, "immediately preceding" shall mean that the applicant must submit the appropriate application to the Board office within six (6) months of leaving the state in which he or she has been actively engaged in the active practice of funeral service.

Authority: O.C.G.A. § Secs. 43-1-25; 43-18-23; 43-18-42; and 43-18-46

Rule 250-5-.07. Display of Licenses

- (1) Each person licensed by the Board must display ~~his/her~~ their license conspicuously in ~~his/her~~ the principal funeral establishment where employed.
- (2) A trade embalmer or funeral director who works in more than one establishment must display a duplicate photocopy of ~~his/her~~ their license in each establishment or crematory in which ~~he/she~~ the trade embalmer works.

Authority: O.C.G.A. § Secs. 43-1-25; 43-18-23; and 43-18-44

Rule 250-5-.08. Transferability of License

An embalmer or funeral director license is neither transferable ~~or~~ nor assignable to any other individual.

Authority: O.C.G.A. § Secs. 43-1-25; 43-18-23; and 43-18-45

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Rule 250-5-.10. Revocation and Reinstatement - Embalmer; Funeral Director

- (1) Failure to renew an embalmer or funeral director license prior to ~~July~~ May 1 of the renewal year shall have the same effect as revocation. Any consideration for license reinstatement shall be at the discretion of the Board and shall require submission of a reinstatement application and reinstatement fee.
- (2) The Board in its discretion may reinstate a funeral director license upon receipt of an application, evidence of completion ~~for~~ of ten (10) hours of approved continuing education ~~units~~ for any applicant who is under 65 years of age and appropriate fees as noted on the Fee Schedule. See fee schedule. Additionally, a person applying for reinstatement more than two (2) years after the expiration date of ~~his/her~~ the license shall be required to retake and pass the Board-approved Jurisprudence Examination on Georgia law regarding funeral directing.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-23; 43-18-48; 43-18-49; 43-18-55; and 43-18-56

Rule 250-5-.11 Inactive Status

A person must ~~have~~ hold a current Georgia funeral director or embalmer license to apply for inactive status; and

- (a) A funeral director or embalmer who holds a current license and who will not practice funeral directing or embalming in Georgia may apply for inactive status by completing an Application for Inactive Status and submitting the appropriate fee (see Fee Schedule) to the Board. Once the license is in Inactive Status, an embalmer or funeral director shall not practice embalming or funeral directing in the State of Georgia while that license is on Inactive Status; and
- (b) To request that a license be placed on Inactive Status, the license must be in good standing and the licensee must show that ~~he/she~~ they have has attained the continuing education hours which will be required at their next renewal; and
- (c) A funeral director or embalmer who wishes to reactivate an Inactive Status license must submit to the Board an Application to Reactivate, appropriate fee, and documentation of continuing education:
1. If the request to reactivate is received more than two (2) years but less than four (4) years from the date on which Inactive Status was approved, the licensee must document five (5) continuing education hours;
 2. If the request to reactivate is received four (4) or more years after the date on which Inactive Status was approved, the licensee must document ten (10) continuing education hours and take and pass the State Laws and Rules Examination, notwithstanding the fact that ~~he/she~~ they may have passed the Laws and Rules Examination on a prior date.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-22; 43-1-25; and 43-18-23

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Rule 250-5-.12 Continuing Education Requirements; Provider Approval

- (1) ~~Effective for the 1998 license renewal, a total of ten~~ Ten (10) hours of continuing education are required biennially (every two (2) years) to renew an embalmer or funeral director license. ~~At the time of renewal, each~~ Each licensee shall ~~submit an Application for License Renewal and a~~ report in writing, under oath, noting the number of hours of continuing education ~~he/she~~ completed. ~~Such report will be due at the time of renewal and shall accompany the Application for License Renewal. These continuing education hours shall have been obtained~~ during the ~~last~~ two (2) years preceding the renewal.
- (2) All licensees must obtain ten (10) hours whether they hold one or two licenses.
- (3) Funeral directors or embalmers who are licensed by the Board within the second year of the renewal cycle (after April 1 of the odd numbered year) will not be required to submit continuing education hours for their first license renewal.
- (4) Hardship, Disability and Age Requirement. The continuing education requirement shall be waived for persons who hold an Inactive Status license or for licensed individuals ~~over the age of~~ age 65 or older; and
 - (a) the Board may waive the continuing education requirement in cases of hardship, disability, illness, or under such circumstances as the Board deems appropriate. ~~Such~~ The waiver must be requested in writing to the Board and must be accompanied by acceptable documentation.
- (5) The Board shall be authorized to approve courses offered by educational institutions, specialty societies, professional or other organizations, ~~and or~~ government agencies upon submission of an application and non-refundable fee. For the purpose of this rule, 'government agencies' means federal, state or local government agencies, public school systems and licensed hospitals.
- ~~(6)~~ (6) The Board may, in its discretion, accept continuing education hours that are approved in another state. The Board may require the licensee to submit information concerning the course(s), and proof of successful completion.
- ~~(6)~~ (7) Board Approved Providers. Continuing education hours may be obtained by participating in activities sponsored by Board-Approved Providers. Board-Approved Providers ~~may only~~ shall offer programs only in the topic areas for which they have been approved. The provider shall certify the number of clock hours of educational content in each continuing education activity.
 - (a) To qualify for initial approval, to renew approval or to qualify for approval in additional topic areas, a provider must submit to the Board:
 1. a Funeral Service Board-Approved Continuing Education Provider Application and non-refundable fee (See fee schedule); and
 2. a description of the topic areas in which the provider plans to sponsor continuing education activities; and

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3. the names of all instructors currently offering continuing education activities, a description of the topic areas in which the instructor is qualified to teach along with a resume or other evidence demonstrating that each instructor is qualified in the identified topic area; and
 4. program outlines, including instructors, objectives, schedules and instructional material.
- (b) Board-Approved Provider status shall expire March 31 of even numbered years. The Provider must submit a new application and non-refundable application fee for the next renewal cycle. The Board retains the right to monitor continuing education programs sponsored by Board-Approved Providers and will withdraw approval from providers who do not maintain Board standards.

(8) Board Approved Instructors. Continuing Education Instructors must meet minimum qualifications for instructor certification.

(a) In order to qualify for initial Board approval or to renew Board approval, a provider must submit the following to the Board:

1. a Funeral Service Board Approved Instructor Application and non-refundable fee (see fee schedule); and
2. a description of the topic areas in which the instructor is qualified to teach along with a resume or other evidence demonstrating that each instructor is qualified in the identified topic area; and
3. evidence of a minimum of five (5) years supervisory experience in the Funeral Service Profession; or
4. evidence of any other experience or education which may qualify applicant for certification upon the discretion of the Board.

(b) Board-approved instructor status shall expire March 31 of even-numbered years. The instructor must submit a new application and non-refundable fee for the next renewal cycle.

(7) (9) Reporting and Documentation. Each licensee shall maintain documentation of their continuing education activities.

- (a) Each licensee shall attest, on ~~his/her~~ the biennial license renewal application, that ~~he/she~~ the licensee has satisfied the continuing education requirements. Documentation of these activities shall be retained for three (3) years by the licensee and shall be provided to the Board only upon the Board's request ~~not sent to the Board unless requested by the Board.~~ False attestation of satisfaction of the continuing education requirements on a renewal application may subject the licensee to disciplinary action, including license revocation; and

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- (b) The Board will audit a fixed percentage of the renewal applications. Licensees whose applications are audited will be required to provide documentation of ~~his/her~~ having met the continuing education requirements; and
- (c) An audited licensee who fails to provide the Board with acceptable documentation of the hours attested to in ~~their~~ the renewal application shall not have their license renewed. In the event the person seeks a new license, the Board may in its discretion review and take into consideration all files, including investigative files and/or reports, related to the person and/or establishment.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-23; 43-18-46; 43-18-55; 43-18-56; and 43-18-73

Rule 250-6-.01. Funeral Establishment / Crematory Licensure Requirements

- (1) A funeral establishment or crematory may be operated only if it possesses a license valid for that establishment or crematory. Application to the Board for licensure shall be made on a Board-approved form and shall require submission of the proper fee. ~~Application~~ The application must be complete in its entirety and must be received at least fifteen (15) days prior to the Board meeting at which it will be considered. The Board shall accept or reject each application by majority vote.
- (2) A license for a funeral establishment or crematory is issued to that particular establishment or crematory under a specified name, at a specified location, and under a specified funeral director in full and continuous charge.
- (3) An establishment shall operate only under the name in which the license was issued.
- (4) A license may be issued to a funeral establishment or crematory only if ~~such~~ the business has a licensed Funeral Director in Full and Continuous Charge. See O.C.G.A. § 43-18-71 and Rule 250-6-.08 for the requirements concerning the Funeral Director in Full and Continuous Charge.
- (5) An inspection of a funeral home or crematory shall be made by a Board inspector prior to licensure. Inspection must be completed after the application has been administratively reviewed, is determined to have no deficiencies, and approved and prior to Board meeting at which it will be considered. Requirements of inspection for funeral establishment and crematories are listed in Rule 250-6-.06 and Rule 250-6-.07, respectively. If reinspection is required, an additional fee shall be payable prior to reinspection. Refer to Fee Schedule.
- (6) A crematory may be operated only if it possesses a separate license for such purpose. However, a funeral establishment for which a valid license to operate is in effect on July 1, 2002, shall not be required to obtain a separate license to operate a crematory until on and after the renewal date to operate a funeral establishment must comply with the minimum equipment and facilities requirements and all other statutes, rules and regulations relating to crematories.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-23; 43-12-46; and 43-18-70 to 43-18-73

Rule 250-6-.02. Change in Name, Address, Location or Ownership

- (1) Name. A change in the name of a funeral establishment or crematory shall require ~~written~~ submission of an application and appropriate fee to the Board. Upon Board approval, a new license number shall be issued.

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- (2) Address or Location. A change in the address and/or location of a funeral establishment or crematory shall require ~~written~~ submission of an application and appropriate fee to the Board. Upon Board approval, a new license number shall be issued.
- (3) Ownership. A change of ownership of a funeral establishment or crematory shall require ~~written~~ submission of an application and appropriate fee to the Board within fifteen (15) days of the change in ownership of the said funeral establishment or crematory. ~~Such~~ The notification must be signed by both the seller and the purchaser, and the signatures must be notarized.
- (4) Funeral Director in Full and Continuous Charge.
 - (a) Any change in the Funeral Director in Full and Continuous Charge must be reported to the Board in writing within five (5) days. The Board shall request the new Funeral Director in Full and Continuous Charge and the owner(s) and/or corporate officer(s) of the establishment or crematory to appear before the Board to determine if the requirements for a Funeral Director in Full and Continuous Charge have been met. If the owner(s) and/or corporate officer(s) are not able to appear before the Board, they may appoint a representative through written authorization on company letterhead signed by the owner and/or corporate officer to represent them before the Board for the Funeral Director in Full and Continuous Charge interview. In the event the Funeral Director in Full and Continuous Charge applicant is also an owner of that funeral or crematory establishment, the requirement to appear before the Board may be waived; and
 - (b) A funeral establishment or crematory temporarily without a Funeral Director ~~in in Full And~~ and Continuous Charge shall notify the Board in writing within five (5) days following the last day of the funeral director's service, requesting a 90-day grace period before the establishment or crematory license is revoked or terminated. The Board at its discretion may grant one additional 90-day grace period upon proof of good cause, but grace periods may not total over 180 days in any two-year period starting from the first day of the first grace period. A grace period shall be terminated upon approval by the Board of a Funeral Director in Full and Continuous Charge.
- (5) Destruction. A funeral establishment or crematory temporarily destroyed by fire, flood or other natural catastrophe, shall notify the Board in writing within (5) five days following the catastrophe, requesting a 90-day grace period to use a temporary location while reconstructing the previous location, provided the establishment or crematory meets the requirements of the Code and Rules of the Board. The Board, at its discretion, may grant additional 90-day grace periods, upon proof of good cause. All services provided to the public during any grace period shall be provided by or under the supervision of a licensed funeral director.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-23; 43-18-46; 43-18-72; 43-18-72; 43-18-73; 43-18-74; 43-18-77; and 43-18-78

Rule 250-6-.05 Renewal: Funeral Establishment/Crematory

- (1) Each funeral establishment or crematory license expires on ~~June 30 of odd-numbered~~ March 31 of even-numbered years. A license may be renewed with the submission of an application plus renewal fee prior to expiration.

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- (2) During the period between ~~July~~ April 1 and ~~September~~ April 30 immediately following the expiration of a license, the license may be renewed upon submission of an application and a late renewal fee in addition to the regular renewal fee. After ~~July~~ April 1 and before ~~July 31~~ April 30 the Board staff will notify the Funeral Director in Full and Continuous Charge in writing, at the address on file with the Board, of their failure to renew.
- (3) Failure to renew a funeral establishment or crematory license prior to ~~October 1~~ May 1 following the late renewal period shall have the same effect as revocation. Thereafter, the owner must submit a new application, the establishment must pass an inspection, and the owner and Funeral Director in Full and Continuous Charge may, at the Board's discretion, may be required to appear before the Board to gain licensure. Any establishment or crematory failing to renew prior to ~~October 1~~ May 1 will be subject to fines and disciplinary action by the Board.

Authority: O.C.G.A. § Secs. 43-1-4; 43-1-19; 43-1-23; 43-1-25; 43-18-43; 43-18-46; 43-18-73; and 43-18-75

Rule 250-6-.06 Funeral Establishment Inspections; Fines

- (1) A representative of the Board shall regularly inspect establishments between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday, with the exception of State government-mandated holidays. Although the funeral director in full and continuous charge need not be present for the inspections, the establishment must be available during these hours for inspection. Upon finding a funeral establishment unavailable during an inspection attempt, the Board representative shall contact the establishment at the telephone number of record with the Board, or an alternative telephone number conspicuously posted at the establishment. If the establishment is not made available for an inspection by an establishment employee within sixty (60) minutes of the telephone contact, or if telephone contact is unsuccessful, the Board representative shall issue a written warning notifying that an inspection attempt was made. Any funeral establishment not inspected during a calendar year may have the establishment license suspended, revoked, or put on probation, or fines may be imposed by the Board.
- (2) Any violation under this section shall be deemed a violation of minimum standards and threat to the health, safety, and welfare of the public. A funeral establishment licensed by the Board shall be required to pay a fine to the Board for each violation of this section. At the time of inspection, a citation shall be issued by an inspector or representative of the Board which shall list each violation. Following the issuance of the citation, the licensee shall either remit the amount of the fine to the Board or submit a written request for an appearance before the Board. A request for an appearance before the Board must be received by the Board within thirty (30) days after issuance of the citation. Failure to either pay the fine or request an appearance before the Board within thirty (30) days from the issuance of the citation shall cause further disciplinary proceedings to be instituted against the licensee. The requirements for inspections and the fines for violations under this section are as follows:
 - (a) ~~At~~ all outside openings must be screened where left open for ventilation. The fine for a violation of this subsection shall be \$50.00.
 - (b) ~~At~~ all embalming rooms shall be equipped with the following:

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1. hot and cold running water; the fine for a violation under this subsection shall be \$200.00;
 2. non-absorbent sanitary floor and walls; the fine for a violation under this subsection shall be \$200.00;
 3. permanently installed ventilation; the fine for a violation under this subsection shall be \$200.00;
 4. a non-absorbent preparation table; the fine for a violation of this subsection shall be \$200.00;
 5. ~~a preparation table equipped with sink with drain receptacle opening~~ and a non-porous sanitary cover ~~or dedicated drain directly connecting~~ into a sewerage or septic tank; the fine for a violation under this subsection shall be \$200.00;
- (c) ~~In addition~~, each embalming room shall be equipped with a ~~separate~~ sink for disinfecting of hands and ~~a separate sink or other Board-approved method for disinfecting of~~ instruments. The fine for a violation under this subsection shall be \$50.00;
- (d) Each embalming room, including all instruments and tables, shall be kept in a sanitary and clean condition at all times. The fine for a violation of this subsection shall be \$200.00;
- (e) Each embalming room shall contain instruments and supplies for the ~~preparation separation~~ and embalming of dead bodies. Instruments and equipment must consist of the following:
1. at least one scalpel; the fine for a violation of this subsection shall be \$50.00;
 2. at least two aneurysm needles; the fine for a violation of this subsection shall be \$50.00;
 3. at least two cannulas; the fine for a violation of this subsection shall be \$50.00;
 4. embalming machine, or gravity bottle or bulb or hand pump; the fine for a violation of this subsection shall be \$50.00;
 5. 24 bottles arterial fluid and 24 bottles cavity fluid; the fine for a violation of this subsection shall be \$50.00;
 6. suture; the fine for a violation of this subsection shall be \$50.00;
 7. 1 suture needle; the fine for a violation of this subsection shall be \$50.00;
 8. trocar; the fine for a violation of this subsection shall be \$50.00;
 9. hydro aspirator or electric aspirator; the fine for a violation of this subsection shall be \$50.00; and
 10. a permanently installed back flow preventer for the hydro aspirator; the fine for a violation of this subsection shall be \$50.00.

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- (f) The embalming room of an establishment shall be used only for the purpose of embalming of dead human bodies. The fine for a violation of this subsection shall be \$200.00;
- (g) An establishment must maintain on the premises a display room containing actual adult caskets, or models, mockups, or sections of caskets if all such caskets are available and in stock for purchase at the establishment or can be delivered within twenty-four (24) hours. Each funeral establishment shall maintain on the premises at each of its locations an adequate stock of funeral caskets which shall not be less than eight (8) and which shall meet such other criteria as necessary to protect the public; The fine for a violation under this subsection shall be \$100.00 per casket short of the minimum;
- (h) ~~The establishment shall have a~~ A room with adequate seating for a minimum of thirty (30) people in which funeral services may be conducted. The fine for a violation under this subsection shall be \$100.00;
- (i) One (1) operable motor hearse ~~and/or~~ or combination hearse/ambulance with current Georgia registration for the transportation of casketed human remains ~~which~~ must be maintained at each establishment. The fine for a violation under this subsection shall be \$100.00;
- (j) One (1) church truck. The fine for a violation of this subsection shall be \$50.00;
- (k) A funeral establishment shall not be located in the same facility as public cafes, restaurants or any place where food is prepared and sold for public consumption. The fine for a violation of this subsection shall be \$500.00;
- (l) A funeral establishment whose funeral director resides in the funeral establishment in order to satisfy the requirements of funeral director in full and continuous charge must include in his or her living quarters furnished sleeping quarters, cooking, refrigerating, and bathing facilities. The fine for a violation of this subsection shall be \$200.00;
- (m) An establishment must have at least one sanitary rest room facility for public use. The fine for a violation of this subsection shall be \$200.00;
- (n) A new establishment must submit proof of having met zoning requirements and public health standards of its local municipalities;
- (o) An establishment must be maintained in a state of clean, sound, safe, and acceptable repair and condition at all times;
- (p) A funeral home shall have a card or brochure in each casket stating the price of the casket. When the client has decided on the type of service desired, the funeral director must provide, at the time ~~such~~ the arrangements are completed and prior to the time of rendering the service or providing the merchandise, a written statement that has been signed and certified by a licensed funeral director showing:
 - 1. the price of the service that the person or persons has selected and what is included therein;
 - 2. the price of each of the supplemental items of service and merchandise requested; and

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3. the amount involved for each of the items for which the funeral home will advance monies as an accommodation to the family.
- ~~(+)~~4. The fine for failure to comply fully with the requirements of this subsection shall be \$200.00.
- (q) A current ~~biennial renewal~~ license for the establishment, embalmer, funeral director and any apprentices must be conspicuously displayed in the establishment. The ~~FDFCC Funeral Director in Full and Continuous Charge~~ for each funeral establishment and/or crematory establishment shall conspicuously display his/her name and current active license in all designated arrangement offices. The fine for a violation of this subsection shall be \$100.00.
- (r) For purposes of identification of the body or remains of a deceased person for tagging purposes as required by OCGA 43-18-8, tags ~~and/~~ or labels must be attached to the deceased human body in the funeral establishment at the time the body is ~~dressed and/or~~ placed in the casket ~~and/or~~ shipping container, or prior to leaving the funeral establishment to go to the crematory. The fine for failure to comply fully with the requirements of this subsection shall be \$100 per occurrence; and
- (s) The Board may issue a Cease and Desist order and, at the Board's discretion, a monetary penalty for unsanitary conditions.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-2; 43-18-23; 43-18-46; 43-18-70; 43-18-71; 43-18-75; and 43-18-76

Rule 250-6-.07. Crematory Inspections. Amended

- (1) A representative of the Board shall regularly inspect crematories no less frequently than annually between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday. ~~Although the~~ The funeral director in full and continuous charge need not be present for the inspection, but the crematory must be open during these hours for inspection. Requirements of inspections are as follows:
 - (a) A room with seating for a minimum of thirty (30) people in which funeral services may be conducted; the fine for a violation under this subsection shall be \$100.00;
 - (b) A display room containing an adequate supply of urns; the fine for a violation under this subsection shall be \$50.00;
 - (c) One (1) operable motor hearse with current Georgia registration for the transportation of human remains which must be either owned or leased by said firm; the fine for a violation under this subsection shall be \$100.00;
 - (d) At least one (1) operable retort for cremation; the fine for a violation of this subsection shall be \$200.00;
 - (e) At least one (1) operable processing station for grinding of cremated remains; ~~The the~~ fine for a violation of this subsection shall be \$200.00;
 - (f) At least one (1) church truck; the fine for a violation of this subsection shall be \$50.00;

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- (g) A current license for the crematory and funeral director, which must be conspicuously displayed; the fine for a violation of this subsection shall be \$100.00;
 - (h) The provisions of paragraphs (a), (b), and (f) of this Rule shall not apply to crematories which provide cremation services only to other funeral establishments; and
 - (i) The Funeral Director in Full and Continuous Charge for each crematory shall conspicuously display ~~his/her~~ their name and ~~current valid active~~ license in all designated arrangement rooms; the fine for a violation of this subsection shall be \$100.00.
- (2) A representative of the Board shall be authorized to obtain information on the retort used by the establishment for cremations. ~~Such~~ The information shall include, but not be limited to:
- (a) Make and model of the retort;
 - (b) Manufacturer's name;
 - (c) Year installed;
 - (d) Date of most recent manufacturer's inspection;
 - (e) Copy of most recent inspection report from manufacturer; and
 - (f) Documentation regarding necessary repairs to the retort.
- (3) The Board shall require crematories to have annual inspections of the retort by the manufacturer or other authorized crematory repair company to ensure proper operations. The Funeral Director in Full and Continuous Charge shall notify the Board within 5 (five) days of the inspection of a less than satisfactory report by presenting the Board with a copy of the inspection report. The Board shall require crematories to make necessary repairs to the retort immediately, not to exceed thirty (30) days without approval by the Board. Any crematory that does not make the necessary repairs noted on the manufacturer's inspection within the time allowed by the Board shall be subject to immediate suspension of licensure until the Board is satisfied that proper repairs have been made.
- (4) The Board shall require the Funeral Director in Full and Continuous Charge to be certified as crematory operator from a course approved by the Board.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-2; 43-18-23; 43-18-46; 43-18-70; 43-18-72; 43-18-75; and 43-18-76

Rule 250-6-.08. Determination of Funeral Director in Full and Continuous Charge

- (1) The Board shall have the authority to evaluate each application for a funeral establishment or crematory license to determine whether the funeral director has the ability to be accessible and available to the community if the funeral director does not spend a minimum of forty (40) hours per week in the employ and operation of the establishment. The Board may then approve an application where the funeral director does not satisfy the specific requirement to spend a minimum of forty (40) hours per week in the employ and operation of the establishment or crematory if the Board is satisfied that the funeral director will be accessible and available to the community.

GEORGIA BOARD OF FUNERAL SERVICE
Board Meeting Minutes – April 10, 2018
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237 Coliseum Drive, Macon, Georgia 31217

- (2) The individual approved by the Board to serve as the Funeral Director in Full and Continuous Charge may only serve in ~~such~~ **this** a capacity at one (1) funeral establishment, but may also serve as the Funeral Director in Full and Continuous Charge at a crematory if ~~such~~ **the** crematory is located at the same physical address as the approved funeral establishment. In determining whether the funeral director possesses the ability to be accessible and available to the community, the Board will consider;
- (a) the proximity of the funeral director's other employment and/or residence to the funeral establishment;
 - (b) the funeral director's ability to obtain leave from his/her other job in order to attend to the affairs of the funeral establishment; and
 - (c) any other information which relates to the ability of the funeral director to adequately supervise the operation of the funeral establishment.

Authority: O.C.G.A. § Secs. 43-1-2; 43-1-19; 43-1-25; 43-18-46; 43-18-71

The Board voted for each of the above proposed rule amendments that the formulation and adoption of the rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the statutes which are the basis for that proposed rule. Additionally, the Board voted that it is not legal or feasible in meeting the objectives of the rule's legal authority to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed or owned and operated in the field of funeral service.

A public hearing is scheduled to begin at 1:00 p.m. on June 12, 2018, in the Office of the Secretary of State, Professional licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217.

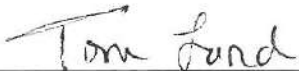
The next meeting of the Georgia Board of Funeral Service will be held Tuesday, May 8, 2018, at 10:00 a.m. at 237 Coliseum Drive, Macon, Georgia.

There being no further business, Chair Lord declared the meeting adjourned at 2:26 p.m.

Minutes recorded by: Sandy Barboza, Board Support Specialist

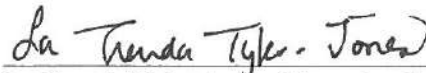
Minutes reviewed and edited by: La Trena Tyler-Jones, Executive Director

Minutes approved on May 8, 2018



Tom Lord, Chair

with express permission by
LaTrena Tyler-Jones, Executive Director



La Trena Tyler-Jones, Executive Director

GEORGIA STATE BOARD OF FUNERAL SERVICE
Executive Session Minutes – Not Open to the Public
April 10, 2018

Members Present:

Tom Lord, Chair
W. T. Edmondson, Vice Chair
Joe Westbury
Michael Fowler
Bryant Hightower
William Bowen

Others Present:

La Trena Tyler-Jones, Executive Director
Sandy Barboza, Board Support Specialist
Melanie Foster, Board Support Specialist
Carla Murray, Licensing Analyst
Reagan Dean, Assistant Attorney General

Members Absent:

Nancy Kennedy

EXECUTIVE SESSION:

Michael Fowler moved, William Bowen seconded, and the motion carried to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-19(h) and 43-18, on Tuesday, April 10, 2018 at 10:03 a.m. at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217, for the purpose of conducting applicant appointments, discussing and reviewing applications and complaints, and to hear the Attorney General's report.

The Executive Session of the Georgia State Board of Funeral Service was closed by Tom Lord, Chair, at 1:47 p.m., who then declared the meeting back in public session. No votes were taken in Executive session.

Appointments:

- | | |
|---------------|-----------------|
| 1. L.S.S.F.H. | 6. W.F.H. |
| 2. N.M.C. | 7. H.C.F.H.C.S. |
| 3. H.F.C. | 8. P.C.F.H. |
| 4. S.F.H. | 9. C.M. |
| 5. V.H.I.C. | |

Applications:

- | | |
|---------------|-----------------|
| 1. A.L.E. | 4. B.D.R. |
| 2. N.M.P.F.H. | 5. L.O.C.J.M.S. |
| 3. F.F.H. | |

Complaints:

FUN170090	FUN180079	FUN180081
FUN180018	FUN180080	FUN180084
FUN180078		FUN180085

Attorney General's Report:

FD004320 - Revocation - Final Decision to revoke license accepted.

GEORGIA STATE BOARD OF FUNERAL SERVICE
Executive Session Minutes – Not Open to the Public
April 10, 2018

Meeting minutes were prepared by Melanie Foster, Board Support Specialist
Meeting minutes were reviewed by La Trena Tyler-Jones, Executive Director
Meeting minutes approved on May 8, 2018.

STATE OF GEORGIA

COUNTY OF BIBB

AFFIDAVIT SUPPORTING CLOSING OF PUBLIC MEETING

The Georgia Open Meetings Act, O.C.G.A 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specified exemptions relied upon. O.C.G. A. 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meetings in question.

Comes Tom Lord, the Chairman identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the Georgia State Board of Funeral Service
2. I am over the age of 18 and in other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and subject to penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On April 10, 2018 this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of members present voted to close the meeting or a portion hereof of the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.
4. The legal authority for closure of this meeting was: O.C.G.A. 43-1-2(k).
5. The subjects discussed and the underlying facts supporting the closing of this meeting are as follows:

Applications and other personal information submitted by the applicants; information, Favorable or unfavorable, submitted by a reference source concerning an applicant; and Deliberations of the Board with respect to an application, an examination, a complaint, an Investigation, or a disciplinary proceeding.

FURTHER THE AFFIANT SAYETH NOT.


PRESIDING OFFICER

Sworn to and subscribed before me this 10th
Day of April, 2018
Deborah A. Horton
Notary Public
My Commission Expires: Jan. 18, 2021

